

MSFT 4947.2
MS #180500.3
PATENT

REMARKS

Applicant has thoroughly considered the Examiner's remarks and the application has been amended in light thereof. New claims 42-69 are presented in the application for further examination. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested. The following remarks will follow the sequence of the Office action. The Arabic numerals beginning each paragraph correspond to the numbered paragraphs of the Office action.

2. Claims 1, 9 10, 13, 14, 17 and 18 stand rejected under 35 U.S.C. §102(e) as being anticipated by Pepe et al. (U.S. Patent 5,742,905). Before addressing the rejection in detail and pointing out the distinctions between the Pepe et al. reference and the new claims which have been added, applicant would like to briefly provide an overview of the many patentable aspects of the invention.

Applicant's invention, in contrast to the cited prior art and particularly in contrast to the Pepe et al. reference, is directed towards an apparatus and method for channel-transparent multi-media broadcast messaging. In contrast to providing a technique for receiving/retrieving messages of different types from a common mail box, applicant's invention provides an apparatus and method for delivering a broadcast message to a group of recipients having disparate receiving devices. Applicant's invention allows a user to specify the addresses of the broadcast message recipients, where the addresses can be telephonic network addresses (e.g., telephone numbers), data network addresses (e.g., IP addresses), or both types of addresses. In turn, applicant's invention delivers the broadcast message to each of the recipients in a format compatible with their receiving devices. Whereas the prior art and the Pepe et al. reference teaches an invention for receiving messages from many recipients in a central location, applicant's

MSFT 4947.2
MS #180500.3
PATENT

invention provides a technique for delivering a single broadcast message to many disparate recipients.

To illustrate applicant's invention, it is instructive to consider how various messages are handled according to the invention. In particular, the following discussion will track various messages and provide a reference to the recitals in claim 42 which correspond thereto.

In summary, it is noted that the translated first broadcast message in the data format is provided via the data network server to the first receiving device whereas the translated second broadcast message in the telephonic format is provided via the data network server over the telephone network to the telephonic network server and then to the second receiving device. Applicant submits that this message handling as recited by claim 42 and also recited by independent claims 65 and 66, is not taught by the Pepe et al. reference or any of the other art cited by the Examiner, either separately or in combination.

Going now to the Office action, the Examiner refers to Figures 1-5 of Pepe et al. and argues that Pepe et al. "teaches an apparatus for sending a broadcast message to an office (first recipient) and the client (second recipient), the first recipient having an e-mail (a first receiving device) addressable over a data network and the second recipient having facsimile (a second receiving device) addressable over a telephone network." The Examiner then argues that Pepe et al. shows message router 48, data network server 112 and telephone network server 110. The Examiner seems to be suggesting that that the PCI server 48 of Pepe et al. corresponds to the message router according to the invention. Applicant respectfully disagrees with the Examiner's interpretation of the Pepe et al. reference. The server 48 does not translate received broadcast messages as recited by claim 42. It appears that the PCI server 48 checks the subscriber's service profile and is responsible for delivering a message to the subscriber listed in the

MSFT 4947.2
MS #180500.3
PATENT

destination field of the message (columns 25-26). Thus, applicant submits that the message router as recited by claim 42 and similarly recited by claims 60 and 65, distinguishes over the PCI server of Pepe et al. so that the rejection must be withdrawn.

The Examiner also argues that the messaging peripheral 112 corresponds to the data network server 112. However, according to Figure 5 of Pepe et al., the data messaging peripheral 112 appears to be connected to the call processor 110 and is not coupled to the message router (as recited by claim 42), is not configured to receive and transmit the translated messages over the data network (as recited by claim 42), and is not configured to deliver the translated first broadcast message to the first receiving device via the data network (as recited by claim 42). In contrast, the messaging peripheral 112 includes the message gateway for notifying the PCI application server 114 and for accepting a request from the PCI application server 114. Thus, these recitals of claim 42, including the similar recitals in claims 60 and 61, are distinguishable over the Pepe et al. reference so that the rejection must be withdrawn.

3.-4. Claims 2-8, 11, 12, 15, 16, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pepe et al. The Examiner admits that Pepe et al. do not teach the broadcast message being originated in voice form but argues that Pepe et al. suggest this limitation. Applicant disagrees. In any case, the dependent claims presently presented are patentable for the same reasons as noted above with regard to claims 42, 60 and 65.

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. If the Examiner feels, for any reason, that a personal interview will expedite the prosecution of this application, he is invited to telephone the undersigned.

MSFT 4947.2
MS #180500.3
PATENT

Attached is a fee transmittal authorizing the Commissioner to charge Deposit Account No. 19-1345 for the additional claim fees and one month extension fee.

Respectfully submitted,



Frank R. Agovino, Reg No. 27,416
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

FRA/cwa